

condemnation of 24 large-sized bottles and 41 small-sized bottles of Pectil Colberg at Mayaguez, P. R., alleging that the article was in possession of Manuel Marin & Co., Mayaguez, P. R., and was being sold and offered for sale in Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of codeine phosphate, creosote, compounds of sodium and potassium, bromides, glycerophosphates, citrates, sugar, and water.

It was alleged in the libel that the article was misbranded in that certain statements in Spanish, a translation of which follows, regarding the curative or therapeutic effects of the said article, appearing on the bottle and carton labels and in the accompanying circulars, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle, both sizes) "Used for catarrhs * * * and for such affections of the respiratory tract;" (carton, both sizes) "General Indications for Pectil Colberg * * * Commonly used for catarrhs * * * affections of the respiratory tract;" (circular, small size) "General indications for Pectil Colberg. Laryngitis—It calms the obstinate and irritating cough, prevents the spreading of the inflammation to the trachea and bronchios. Bronchitis—Modifies the expectoration and secretions, calms the cough and improves the general condition of the system. Infantile Bronchitis—(Frequently accompanied by scrofulosis). It makes the bronchial symptoms to disappear and prevents the appearance of tuberculosis. Coqueluche or Whooping Cough—It is the ideal treatment for Bronchitis during the course of Coqueluche, and even in convalescence that oftentimes develops into tuberculosis. Pneumonia and Pleurisy—It performs the asepis of the respiratory apparatus, thus avoiding the later evolution of tubercular affections. Grippe, Influenza—It prevents the broncho-pulmonary complications and affords the organism the necessary resistance against bacillus Koch. Pulmonary Tuberculosis—It calms the cough, stops sweating * * * always efficacious;" (Circular, large size) "Pectil Colberg * * * Useful during the beginning of the inflammatory diseases of the respiratory tract, such as Catarrh, Hoarseness, Grippe, Colds, Influenza, Whooping Cough, Laryngitis, Bronchitis."

On January 27, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17935. Misbranding of Osmo Kaolin. U. S. v. 30 Boxes of Osmo Kaolin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25375. I. S. No. 5717. S. No. 3631.)

Examination of an alleged drug product, known as Osmo Kaolin, from the herein-described shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Porto Rico.

On November 25, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 30 boxes of Osmo Kaolin at San Juan, P. R., alleging that the article had been shipped by Gabriel J. Fajardo, New York, N. Y., on or about December 6, 1929, to Porto Rico, and that it was being offered for sale and sold by Serra, Garabis & Co. (Inc.), of San Juan, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of clay.

It was alleged in the libel that the article was misbranded in that the following statements borne on the label, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Internal * * * is invaluable in the treatment of disorders arising from intestinal infection by bacteria, the toxins of which it has the power of absorbing to a remarkable degree. In this manner the elimination of these toxins is readily, quickly and safely accomplished without harm to the system. It has been successfully used in the treatment of dysentery, cholera, diarrhoea, ulcerative colitis, rheumatism and gout and in intestinal stasis with its resulting toxæmias. * * * is employed in the preparation of Cataplasmata, to remove

oedema, relieve the pain and swelling of local inflammation, etc. In its dry state it is used to absorb irritant discharge."

On January 26, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17936. Misbranding of Dr. Gunn's antiseptic. U. S. v. 8 Bottles of Dr. Gunn's Antiseptic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24460. I. S. No. 09582. S. No. 2712.)

Examination of samples of a drug product, known as Dr. Gunn's Antiseptic, having shown that it was not an antiseptic, and that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Oklahoma.

On January 23, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of eight bottles of Dr. Gunn's Antiseptic at Oklahoma City, Okla., consigned by the Merrick Medicine Co., Waco, Tex., on or about October 17, 1929, alleging that the article had been shipped from Waco, Tex., in interstate commerce to Oklahoma City, Okla., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sulphuric acid (1.8 per cent) a small proportion of a magnesium compound, traces of carbon bisulphide and volatile oils, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the statements appearing on the carton label in English, Spanish, and German, "Antiseptic", on the bottle label, "Antiseptic", and in the circular accompanying the article, "Antiseptic The Great Germ Destroyer", were false and misleading.

It was further alleged in the libel that the article was misbranded in violation of section 8, paragraph 3 of the said act. The charge recommended by this department under section 8, paragraph 3, of the act as amended, was that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Antiseptic. The Greatest Known Remedy For Slow and Typhoid Fevers, Chills and Fevers, LaGrippe and Dengue Fever * * * for Kidney and Bladder Troubles. For Nervous Prostration and diseases peculiar to ladies * * * This might more properly be called a food * * * assists nature in overcoming every disease [similar statements in Spanish and German];" (bottle label) "Antiseptic * * * Great Blood Purifier. Probably the Greatest Remedy known for all kinds of Fevers, especially Slow and Typhoid Fevers, Chills and Fever, and all Stomach, Kidney and Bladder Troubles. Ladies will find the Antiseptic their Greatest Friend. * * * For all kinds of fever and chills and fever take * * * until the fever gives way;" (circular) "Antiseptic. The Great Germ Destroyer * * * A Messenger of Good Cheer to the sick. * * * We recommend Dr. Gunn's Antiseptic for the sick, * * * For La Grippe * * * For Chills and Fever * * * For Slow and Typhoid Fever * * * For Indigestion * * * For Nervous Sick Headache * * * For The Blood as a blood purifier and general system builder * * * For Ladies Dr. Gunn's Antiseptic is the ladies' friend. For cramping at the menstrual period, take * * * until relieved. If the menses are interrupted by cold, take * * * Dr. Gunn's Antiseptic * * * For nervousness and other complications during the change of life, except flooding, take * * * For Kidney, Bladder Trouble & Rheumatism * * * 'I had suffered with Muscular Rheumatism for a year, * * * I was told to try Dr. Gunn's Antiseptic, which I did, and before the first bottle was gone I could walk without my cane.' * * * 'I had stomach trouble * * * I would have vomiting and cramping in my stomach * * * Dr. Gunn's Antiseptic. * * * stopped the vomiting and cramping,' * * * 'I have had indigestion for a long time and after taking one-half bottle of your Dr. Gunn's Antiseptic I am just a world better. Also my little girl, nine years old, was very sick. She had fever of about 104 and 105 for four days and was unable to keep even milk on her stomach. Finally I started giving her your Dr. Gunn's Antiseptic and after the first dose she only vomited one time and her fever started to fall at once. In 24 hours it was gone and she was able to sit up.' * * * perma-